

REMARKS

This Amendment is being filed in response to the Office Action mailed November 14, 2006, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

In the Office Action, claims 1-2, 4 and 6-8 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by European Patent No. 0 935 266 (Tanaka). Further, claim 3 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Tanaka in view of U.S. Patent No. 5,039,912 (Van Vliet). Claim 5 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Tanaka in view of U.S. Patent No. 5,111,105 (Yamamoto). Claim 8 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Tanaka in view of U.S. Patent No. 6,583,564 (Kiryu). It is respectfully submitted that claims 1-12 are patentable over Tanaka, Van Vliet, Yamamoto and Kiryu for at least the following reasons.

Tanaka is directed to a discharge lamp used as a headlight in vehicles. The Tanaka discharge lamp has belt-shaped shading films 14, 15 formed on the outer surface of an outer tube or envelope 6.

The films 14, 15 have uniform thickness thus overcoming problems in prior art lamps noted in Tanaka. Further, the prior art lamps noted in Tanaka require precise positioning of the arc with respect to a reflecting mirror to provide a desired light distribution, as recited on column 1, lines 26-28.

As specifically recited on column 1, lines 35-42, the shading films 14, 15 of the Tanaka discharge lamp are configured to provide precise light distribution. Thus, as recited on column 1, lines 39-40:

the light distribution depends on the accuracy of the position of the shading film rather than the arc. (Emphasis added)

In summary, Tanaka is concerned with compensating for inaccurate position of the arc via the shading films 14, 15, and is completely silent and does not teach or suggest the present invention as recited in independent claim 1 which, amongst other patentable elements, requires (illustrative emphasis provided):

optical compensating filter of a color complementary to the color of the metal halide.

A filter of complementary color to the metal halide is nowhere taught or suggested in Tanaka. Rather, Tanaka merely teaches

shading films 14, 15 to compensate for inaccurate position of the arc. Van Vliet, Yamamoto and Kiryu are cited to allegedly show other features and do not remedy the deficiencies in Tanaka.

Accordingly, it is respectfully submitted that independent claim 1 is allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-12 should also be allowed based at least on their dependence from independent claim 1.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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